

Administrative Order



Administrative Order No.: 4-4

Title: Port of Miami Terminal Tariff No. 010

Ordered: 9/22/2005

Effective: 10/01/2005

AUTHORITY:

Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter.

SUPERSEDES:

This Administrative Order supersedes prior Administrative orders and revisions to Port of Miami Terminal Tariff No. 010 as it relates to those items specified in the attached Tariff pages. Any items not expressly superseded herein remain in effect.

POLICY:

Port of Miami Terminal Tariff No. 010 shall be established providing for the rates, rules and regulations for the Seaport facilities of Miami-Dade County, Florida.

PROCEDURE:

The Director of the Dante B. Fascell Port of Miami-Dade (Port of Miami) is responsible for the operation and management of the Port of Miami, including establishing rates and fees for usage of Port facilities and collection of same. Reviews and revisions of rates and fees will occur on an annual basis with recommendations for changes forwarded to the County Manager.

TARIFF:

The Tariff items adopted by this Administrative Order have been presented and are considered a part hereof. In accordance with Section 2.3 of the Code of Miami-Dade County, these official Tariff items are also filed with the Clerk of the Board of County Commissioners. Items, which are charged by the Port of Miami, shall be the same as those listed in the official Port of Miami Terminal Tariff No. 010 on file with the Clerk of the County Commission.

This administrative order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

George M. Burgess
County Manager

**PORT OF MIAMI
TARIFF NO. 010
LAST REVISED DATE: OCTOBER 1, 2005**

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CORRECTION SYMBOLS

Reference marks and symbols used to indicate the effect of corrections to this Tariff are in compliance with FMC General Order 13, as amended as follows:

- (R) To denote a reduction
- (A) To denote an increase
- (C) To denote changes in wording which result in neither an increase nor decrease in charges

- (D) To denote a deletion
- (E) To denote an exception to a general change
- (N) To denote reissued matter
- (I) To denote new or initial matter

UNITS OF WEIGHT & MEASURE

Customary international (metric) and U.S. units of weight and measure governing the determination of rates and charges assessed under this Tariff are as follows:

1 Acre	43,560 Square Feet
1 Kilogram	2.2046 Pounds
1,000 Kilograms	2,204.62 Pounds (1 Metric Ton)
1 Pound	0.4536 Kilograms
2,000 Pounds	907.1847 Kilograms (1 Short Ton)
1 Metric Ton (1 Kilo Ton)	1.1023 Short Tons
1 Short Ton	2,000 Pounds
1 Short Ton	0.9072 Metric Ton
1 Long Ton	2,240 Pounds
1 Foot	0.3048 Meter
1 Meter	3.2808 Feet
1 Cubic Foot	0.0283 Cubic Meters
1 Cubic Meter	35.315 Cubic Feet
1 Bushel Grain (US) 60 Pounds	27.216 Kilograms
1 Barrel (US) 42 Gallons	158.9873 Liters
1 Cubic Meter	423.792 Ft. Board Measure
1,000 Ft. Board Measure	83.33 Cubic Feet
1,000 Ft. Board Measure	2.36 Cubic Meters
6.4 Barrels (US, Bunker Fuel Only)	1,000 Kilograms
1 Liter	0.2642 Gallons
1 Gallon	3.7854 Liters
1 Gallon (Fresh Water)	8.34 Pounds

METRIC CONVERSION GUIDE

TO CHANGE	TO	MULTIPLY BY
Cubic Feet	Cubic Meters	0.0283
Cubic Meters	Cubic Feet	35.3145
Cubic Meters	Cubic Yards	1.3079

Cubic Yards	Cubic Meters	0.7646
Feet	Meters	0.3048
Gallons (US)	Liters	3.7854
Inches	Millimeters	25.4000
Inches	Centimeters	2.5400
Kilograms	Pounds	2.2046
Liters	Gallons (US)	0.2642
Liters	Pints (Dry)	1.8162
Liters	Pints (Liquid)	2.1134
Liters	Quarts (Dry)	0.9081
Liters	Quarts (Liquid)	1.0567
Meters	Feet	3.2808
Meters	Yards	1.0936
Metric Tons	Tons (Long)	.8942
Metric Tons	Tons (Short)	1.1023
Millimeters	Inches	0.0394
Miles	Kilometers	1.6093
Pints (Dry)	Liters	0.5506
Pints (Liquid)	Liters	0.4732
Pounds	Kilograms	0.4536
Quarts (Dry)	Liters	1.1012
Quarts (Liquid)	Liters	0.9463
Square Feet	Square Meters	0.0929
Square Meters	Square Feet	10.7639
Square Yards	Square Meters	.8361
Tons (Long)	Metric Tons	1.0160
Tons (Short)	Metric Tons	0.9072
Yards	Meters	0.9144

SECTION ONE: DEFINITIONS

ITEM 100 BERTH ASSIGNMENT

The granting of permission to use a specified berth.

ITEM 102 BERTH DAY

Each 24-hour period or fraction thereof during which a vessel occupies an assigned berth.

ITEM 103 BOARD FOOT

A unit of quantity for lumber equal to the volume of a board that is 12x12x1 inches - abbr. BF. If the number of BF is not listed on the manifest, then all charges will be assessed by manifested weight.

ITEM 104 CHECKING

The service of counting and checking cargo against appropriate documents for

the account of the cargo or the vessel, or other person requesting same.

ITEM 106 COUNTY

The Miami-Dade County, organized and existing under and by the virtue of the laws of the State of Florida, and situated in the County of Miami-Dade in Florida.

ITEM 108 COUNTY COMMISSION

The governing body of Miami-Dade County as provided for in the charter of Miami-Dade County.

ITEM 110 COUNTY MANAGER

The administrative head of Miami-Dade County, appointed by the County Commission, who is responsible for the efficient operation of all County Departments.

ITEM 111 DANGEROUS CARGO

Dangerous cargo (includes hazardous materials, explosives, radioactive materials, etc.) Items included in Title 33 of the Code of Federal Regulations Section 160.203 and further defined in sections referenced therein.

ITEM 112 DOCKAGE

The charges assessed against a vessel for berthing at a wharf, pier, bulkhead structure, or bank, or for mooring to a vessel so berthed.

ITEM 113 FACILITY SECURITY PLAN (FSP) (I)

A plan developed to ensure the application of security measures designed to protect the facility and its servicing vessels or those vessels interfacing with the facility, their cargoes, and persons on board at the respective MARSEC Levels pursuant to all applicable laws including but not limited to 33 Code of Federal Regulation 101.105, et seq.

ITEM 114 FREE TIME

The specified period during which cargo may occupy space assigned to it on terminal property free of wharf demurrage or terminal storage charges immediately prior to the loading or subsequent to the discharge of such cargo on or off the vessel.

ITEM 116 HANDLING

The service of physically moving cargo between point of rest and any place of the terminal facility, other than the end of ship's tackle.

ITEM 118 HEAVY LIFT

The service of providing heavy lift cranes and equipment for lifting cargo.

ITEM 119 PORT LEGAL HOLIDAYS (For billing purposes only)

New Year's Day
Martin Luther King's Birthday
President's Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Christmas Day

January 1
3rd Monday in January
3rd Monday in February
Last Monday in May
July 4
1st Monday in September
2nd Monday in October
November 11
4th Thursday in November
December 25

In the event a legal holiday falls on a Saturday, it is celebrated on the preceding Friday, and in the event a legal holiday falls on a Sunday, it is celebrated on the succeeding Monday.

ITEM 120 LOADING AND UNLOADING

The service of loading or unloading cargo between any place on the terminal and railroad cars, trucks, lighters or barges or any other means of conveyance to or from the terminal facility.

ITEM 122 OPERATOR

Any Person carrying on the business of furnishing wharfage, dock, warehouse, or other marine terminal services or facilities in connection with a common carrier by water in the United States or its possessions.

ITEM 123 NON-OPERATING PORT

Port of Miami-Dade does not provide longshoremen, checkers or handlers for cargo or baggage; nor does it handle, count, or provide guards or security for cargo and ships. These services are provided by franchised stevedoring, cargo handling, and steamship agency firms. A list of firms authorized to perform these services is available upon request from the Seaport Marketing Division, Permit Section.

ITEM 123a NOTICE OF VIOLATION (I)

A notice issued by the United States Coast Guard or other federal, state or local agency for an alleged violation. The notice contains the applicable law or regulation violated and the corresponding proposed penalty and conditions to resolve the case.

ITEM 124 PASSENGER DOMESTIC

A passenger traveling in an American-flag vessel.

ITEM 126 PASSENGER FOREIGN

A passenger traveling in a foreign-flag vessel.

ITEM 127 CHILD PASSENGER

Any child, foreign or domestic, who has not reached its twelfth birthday, as of the date of embarkation or debarkation.

ITEM 128 PERSON

"Person" shall be defined in Florida Statutes Section 1.01 (3), and shall include municipal, governmental and public bodies and their agents, when such bodies or agents are using the Port terminal facility.

ITEM 130 POINT OF REST

That area on the terminal facility which is assigned for the receipt of inbound cargo from the ship and from which area inbound cargo may be delivered to the consignee, and that area which is assigned for the receipt of outbound cargo from shippers for vessel loading.

ITEM 132 PORT DIRECTOR

This term is synonymous with the term "Seaport Director."

ITEM 134 DANTE B. FASCELL PORT OF MIAMI-DADE

This term is synonymous with the term "Seaport Department," "Port," "Port of Miami," "Port of Miami-Dade."

ITEM 135 PRONOUNS

A pronoun in one gender includes and applies to other genders as well.

ITEM 136 PORT TERMINAL

One or more structures comprising a terminal unit, and including, but not limited to wharves, warehouses, covered and/or open storage space, cold storage plants, grain elevators and/or bulk cargo loading and/or unloading structures, landings and receiving stations, used for the transmission, care and convenience of cargo and/or passengers in the interchange of same between land and water carriers or between two water carriers.

ITEM 138 SEAPORT DEPARTMENT

The department of Miami-Dade County created to operate, manage and develop the Seaport and terminal facilities of Miami-Dade County.

ITEM 139 SHIP AGENT

The vessel representative responsible for the collection and payment of all charges assessed on a vessel for which they file a Request for Ship's Berth Assignment and provide accurate manifest documentation. All Ship Agents must be bonded and permitted by the Seaport Department to transact business at the Port of Miami.

ITEM 140 SMALL BOAT

A vessel having a container/trailer capacity of 525 TEU's or less.

ITEM 142 TARIFF

A publication containing the rates, charges, rules regulations and practices of any Person carrying on the business of furnishing wharfage, dock, warehouse, or other marine terminal services or facilities in connection with a common carrier by water in the United States or its possessions.

ITEM 144 TARIFF PUBLICATION

A schedule, tariff, supplement to, or revised or amended page of a schedule or tariff.

ITEM 146 TERMINAL STORAGE

The service of providing warehouse or other terminal facilities for the storing of inbound or outbound cargo, including wharf storage, shipside storage, closed or covered storage, open or ground storage, bonded storage and refrigerated storage, after storage arrangements have been made.

ITEM 150 USAGE

The use of the terminal facility by any rail carrier, lighter operator, trucker, shipper or consignees, their agents, servants, and/or employees, when they perform their own car, lighter or truck loading or unloading, or the use of said facilities for any other gainful purpose for which a charge is not otherwise specified.

ITEM 152 VESSEL

Except as otherwise provided in individual items, the term "vessel" means floating craft of every description, and shall include in its meanings the term "owners and agents" thereof.

ITEM 154 WHARF DEMURRAGE

A charge assessed against cargo remaining in or on terminal facilities after the expiration of free time unless arrangements have been made for storage. Wharf demurrage is also applicable to cargo remaining in or on terminal facilities after expiration of an authorized storage period.

ITEM 156 WHARFAGE, CARGO

A charge assessed against the cargo or vessel on all cargo passing or conveyed over, onto, or under wharves or between vessels (to or from barge, lighter, or water), when berthed at a wharf or when moored in slip adjacent to wharf. Wharfage is solely the charge for use of wharf and does not include charges for any other service.

ITEM 158 WHARFAGE, PASSENGER

A charge assessed against a passenger on a vessel, other than a crewmember, when embarking from or debarking to port property. Passenger wharfage is solely the charge for use of wharf and other passenger facilities and does not include charges for any other service.

SECTION TWO: GENERAL RULES & REGULATIONS

ITEM 200 APPLICATION OF TARIFF AND SUPPLEMENTS

The charges, rates, rules and regulations published in this tariff shall apply equally to all users of, and all traffic on the waterways and facilities owned and operated by Miami-Dade County, Florida under the jurisdiction of the Seaport Department, on and after the effective date of this tariff or any supplements thereto. Should there be any matter requiring clarification or interpretation of any tariff item, the Seaport Director, by delegation from the County, shall be the sole judge as to the application and interpretation of this tariff.

The Seaport Director shall have the authority to deny, cancel, refuse, suspend or revoke a company's permit when that company has violated tariff rules and regulations or has violated established Port procedures, or has withheld or falsified information, or has been involved in any type of unlawful activity.

ITEM 202 CONSENT TO TERMS OF TARIFF

The use of the waterways and piers, wharves, bulkhead, docks and other facilities under the jurisdiction of the Seaport Department shall constitute a consent to the terms and conditions of this tariff, and evidence an agreement on the parts of the vessels, their owners and agents, and other users of such waterways and facilities to pay all charges specified in this tariff and be governed by all rules and regulations published herein.

ITEM 204 APPEALS

A right of administrative review exists for actions or inactions of the Port Director and/or the Department pursuant to Section 28A-7, Code of Miami-Dade County.

ITEM 210 GENERAL RESTRICTIONS AND LIMITATIONS

The Seaport Department is not obligated to provide storage or accommodation for property which has not been transported, nor is intended to be transported by water to or from the Port; nor is it obligated to provide extended storage or other services beyond reasonable capacity of the facilities; nor is it obligated to provide extended storage for any property in the course of normal operations, beyond a period of time determined by the Director. The Seaport Department is not obligated to accept any cargo, either inbound or outbound, which is not compatible with the accepted objectives of the Port and the established assurances to the community. The refusal of any such cargo is discretionary with the Director. The Seaport Department is not obligated to issue any permit, including stevedore permit or renewal. The Seaport shall consider other factors such as the granting or renewal of a permit does not lead to duplication of services that could lead to destructive competition or a reduction of the quality of services to our customers and persons using the Port of Miami-Dade and its facilities, and does not lead the Port of Miami-Dade to uncertainty, disruption

and/or unstable environment in the rendering of such services.

ITEM 212 DISCLAIMER FOR LOSS OR DAMAGE

The Seaport Department shall not be responsible for any damages to freight being loaded, unloaded, handled, stored, or otherwise present on its facilities, or for loss of any freight or for any delay to same. The Seaport Department shall not be responsible for any loss or damage to freight on or in its facilities by reason of fire, leakage, evaporation, natural shrinkage, wastage, decay, animals, rats, mice, other rodents, moisture, the elements, discharge of water from sprinkler fire protection systems, or by or from any other cause. The Seaport Department shall not be responsible for delay, loss or damage arising from riots, strikes, or labor disturbances of any persons, or for any loss due to pilferage or thievery, or to any other cause. The Seaport Department shall not be responsible for any personal injuries or death resulting from any cause whatsoever on its properties or facilities. The Seaport Department shall not be relieved from liability for occurrences that are caused solely by its own negligence.

ITEM 213 PLACEMENT GOODS NOT TO BE BAILMENT

The placing of property of any nature, including cargo on Seaport property pursuant to this tariff shall not be construed under any circumstances as a bailment of that property, and Miami-Dade County, its officers, employees, and agents, shall not be considered as bailee of any property whatsoever.

ITEM 214 ABANDONED CARGO

Any cargo on which charges have not been collected within 90 days shall be considered abandoned cargo. The Seaport Department reserves the right to remove any or all such property to another part of the premises, or remove it and place in storage off the Port at the risk and expense of the owner. The Seaport Department may retain possession of the property until all charges have been paid. When the Director determines final abandonment of cargo in any instance, he shall dispose of same under established County procedures.

ITEM 216 FURNISHING CARGO STATEMENTS AND VESSEL REPORTS

All vessels, their owners and agents, and all other users of the waterways and facilities, shall furnish the Director copies of inbound or outbound manifest or other documents in a form satisfactory to the Director, or a full and correct statement, signed and certified to, on blanks furnished by the Seaport Department, showing weights or measurements of the various items discharged or loaded and the basis on which freight charges are assessed, within ten days after the arrival and/or departure of vessels, excepting Saturdays, Sundays and holidays. It is the stevedores' responsibility to provide the Port of Miami-Dade with complete loading and discharge guides to verify the vessel manifest(s).

ITEM 217 LATE DOCUMENTATION ON SERVICE FEE

A service fee of one-half of one percent (1/2 of 1%) of total charges resulting

from the calculation of charges reflected on such documents, for each 24-hour period or fractional part thereof, including Saturdays, Sundays and holidays, will be assessed for incomplete, incorrect, non-certified or late submission of documentation required for entry to the Port or for the calculation or verification of Port charges. This service fee shall be assessed in addition to all other penalties imposed by this tariff. The minimum service fee is ten dollars (\$10.00).

ITEM 218 PAYMENT OF BILLS (C)

All charges assessed under this tariff are due as they accrue, and invoices issued by the Port are due and payable upon presentation. Any invoice remaining unpaid the last day of the month following the month billed is delinquent, and the Port users billed will be placed on a delinquent list. A delinquent invoice is subject to a penalty charge of one and one half percent (1-1/2%) for each month that said invoice remains delinquent at end of the month. This penalty charge shall be applied for a maximum period of six months subsequent to which the Seaport shall either negotiate an agreement with the Port user for collection of the delinquent charges, if not previously paid, or pursue standard collection procedures. The Port assigns the responsibility for the collection and payment of all charges assessed on a vessel to the Ship's Agent company authorized by the Seaport Director to file the Request for Ship's Berth Assignment for the vessel. However, in recognition of dockage, wharfage, storage, wharf demurrage, and other bills which may be passed on to the shippers and consignees by the vessel, Ship Agents, when dependent upon a third party for payment of an invoice, shall be allowed an additional month for payment. The Port must be paid according to the terms stipulated in this tariff item regardless of when the Ship's Agent, vessel, its owners or agents are reimbursed. As an incentive, a Ship Agent paying an invoice within ten (10) days of issuance shall receive a one half percent (0.5%) discount off the net amount of the invoice. The Port reserves the right to refuse the use of Port facilities and services to any Port user on the delinquent list and to demand payment of charges in advance before further services will be performed or facilities used.

Sales Tax

Rates and charges contained in this tariff are exclusive of any sales tax. Applicable sales taxes shall be paid to the Port at the time and by the entity responsible for payment of the tariff charges for which the tax is imposed.

Large volume non-terminal operating customers that do not have Board of County Commissioners approved volume agreements, upon certification by the Port's common user terminal operator, which either the customer is anticipated to load/unload in excess of 100,000 tons of cargo per fiscal year, or the customer is participating in a Port approved and Federal Maritime Commission approved, vessel sharing agreement with other lines which will result in the vessel participants loading/unloading over 100,000 tons of cargo per fiscal year, may apply to the common user terminal operator for a certification of Base tons, and upon such certification and written acceptance of same by the Port, may receive the

following Tariff incentives on an annual fiscal year basis:

**Base Tons (first 100,000 tons per fiscal year) –
0% off of applicable published Tariff for Dockage and Wharfage**

100,001-250,000 Tons per fiscal year –
20% off of applicable published Tariff for Dockage and Wharfage

250,001-500,000 Tons per fiscal year –
30% off of applicable published Tariff for Dockage and Wharfage

500,001-750,000 Tons per fiscal year –
40% off of applicable published Tariff for Dockage and Wharfage

Tons in excess of 750,000 per fiscal year –
45% off of applicable published Tariff for Dockage and Wharfage

Base Tons include those tons loaded/unloaded at the Port of Miami, during any fiscal year that are billed to a customer, regardless of shipping arrangements. In any circumstances, no discounts will be applied to base tons. The Port Director, at his discretion, shall prepare a statement of rules and guidelines regarding the certification process. The incentive discounts enumerated above only apply, where applicable, to dockage and wharfage rates, and shall have no effect on any other fee, rate, or tariff due under any other provision of, Tariff No. 10 or otherwise. This Item is subject to revision or revocation with 30 days notice at the discretion of the Port Director. The Port has the right to recalculate and reset the Base Year tons every three years in the exercise of its discretion, such recalculation shall be in accordance with the Port Director's guidelines. To remain eligible for the volume incentive, participating lines' customer accounts must be current with no delinquent balances. Under the Director's guidelines, accounts will be monitored monthly and the appropriate action taken for delinquent accounts.

New Cargo Services Calling at the Port of Miami-Dade

During the first fiscal year which a New Service calls at the Port, upon written request by a ship line, that service is eligible to receive an incentive rate for the first calendar year only, equal to 35% off of the applicable published Tariff for Dockage and Wharfage.

ITEM 219 TEMPORARY EMERGENCY CHANGES TO TARIFF

The Seaport Director shall have the authority to implement emergency temporary changes to this Tariff to remain competitive with other ports. These temporary changes will be consistent with the provisions of Item 200. Such changes will be documented and submitted to the Office of the Miami-Dade County Manager. If such temporary changes remain in place for a period of twelve months and are subsequently expected to remain permanent, they shall be submitted to the

Board of County Commissioners for approval.

ITEM 220 ACCESS TO RECORDS

All vessels, their owners and agents, and all other users of the waterways and facilities, shall be required to permit access to manifests of cargo, passengers, railroad documents, and all other documents for the purpose of audit for ascertaining the correctness of reports filed, or for securing the necessary data to permit correct estimate of charges.

ITEM 221 INDEMNIFICATION (C)

All users of Port facilities shall indemnify and hold harmless the County and its officers, employees, agents and instrumentalities from any and all liability, fines, losses or damages, including attorneys' fees and costs of defense, which the County or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, notices of violation, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the users' use of Port facilities. All users of Port facilities shall pay all claims, fines and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the County, where applicable, including appellate proceedings, and shall pay costs, fines, judgments and attorneys' fees which may issue thereon, provided the County shall have given reasonable written notice of such matter with full right to defend and shall cooperate in such defense.

ITEM 222 PAYMENT GUARANTEE (C)

Users of the Port facilities are required to furnish the County with a Payment Guarantee, insuring the County against loss of any funds and indemnifying the County in full for the payment of bills that accrue as a result of dockage, notices of violation, cargo and passenger wharfage, water sales, storage, rentals, leases, warehousing, wharf demurrage, track rentals, electric current and any other charges that may accrue for services rendered by the County. The Director is authorized to determine and fix the amount of the required Payment Guarantee. The Director is also authorized to designate the persons who shall be required to post the bond required by this section.

ITEM 224 INSURANCE

The rates and charges published in this tariff do not include any insurance of any nature. All permitted users of the Port facilities may be required to carry Comprehensive General Liability and/or Auto Liability. Certificates of insurance evidencing such insurance must name Miami-Dade County as the certificate holder and must include the County as an Additional Insured as respects General Liability. In general, the minimum insurance coverage shall not be less than \$100,000 per person and \$300,000 per accident for bodily injury and \$50,000 per accident for property damage. Additional coverage may be required pursuant to other sections of this tariff.

ITEM 226 NORMAL WORKING HOURS

The recognized normal working hours of the Port of Miami-Dade shall be from 8:00 a.m. to 5:00 p.m. on Monday through Friday, inclusive, holidays excepted. Requests to load in or load out at any time other than within the recognized normal working hours shall be made prior to 5:00 p.m. of the day of the activity and arrangements must be made with a Port user to accept or release cargo.

SECTION THREE: RULES & REGULATIONS FOR VESSELS

ITEM 230 ANCHORAGE OR OBSTRUCTION IN TURNING BASINS AND CHANNELS

It shall be unlawful for any person, firm or corporation whether as principal, servant, agent, employee, or otherwise, to anchor any vessel, boat, barge or other watercraft of any kind in any of the turning basins or channels in the Port of Miami-Dade, or to otherwise obstruct navigation, except in cases of actual emergency.

ITEM 232 LIGHTS AT NIGHT

All vessels, barges or other watercraft, while anchored, moored, or maneuvering in the waterways of the Port of Miami-Dade, must at all times of the night show proper lights.

ITEM 234 POLLUTION OF AIR AND WATER

It shall be unlawful for any person, firm or corporation to deposit, place or discharge into the waterways of the Port of Miami-Dade, any ballast, dunnage, sanitary sewage, butcher's offal, garbage, dead animals, gaseous liquid or solid matter, oil, gasoline, residuum of gas, calcium, carbide, trade waste, tar or refuse, or any other matter which is capable of producing floating matter or scum on the surface of the water, sediment or obstruction on the bottom of the waterways, or odors or gases of putrefaction. All vessels and all persons using Port facilities shall take every precaution to avoid pollution of the air. County air pollution control procedures will be strictly enforced. In addition to these regulations, all-appropriate federal, state and local laws, rules or regulations pertaining to air and water pollution shall be rigidly observed.

ITEM 236 SPEED

It shall be unlawful for vessels or other watercraft to proceed at a speed which will endanger other vessels or structures or to cause wake damage. All applicable federal and local rules and regulations apply.

ITEM 240 APPLICATION FOR BERTH

The agent for a vessel desiring a berth at the Port of Miami-Dade shall, as far in advance of the date of docking as possible, make application to the Port of Miami-Dade berthing office in writing in the manner prescribed for a berth

specifying the name of vessel, size, the date and estimated time of arrival, date and time of sailing, and the nature and quantity of cargo, if any, to be loaded or unloaded.

ITEM 242 ASSIGNMENT OF BERTH

All berthing assignments shall be made by the Seaport Department and must be rigidly observed. Any vessel which does not adhere to an established arrival schedule and conflicts with berth assignments previously made may be assigned an alternate berth or await the vacancy of a preferred berth. Port of Miami-Dade reserves the right to assign berths for the optimal utilization of the Seaport's facilities.

ITEM 244 CHANGE OF BERTH

Every vessel, boat, barge or other craft must, at all times, have on board a person in charge with authority to take such action in any actual emergency as may be necessary to facilitate common navigation or commerce, or for the protection of other vessels or property. The Director has discretionary authority to order and enforce the removal or change the berth or location of any vessel, boat, barge, or other water craft at its own expense, to such place as he may direct, for the purpose of facilitating navigation or commerce, or for the protection of other vessels or property, and it shall be unlawful for the master, owner or agent of such vessel to fail, neglect, or refuse to obey any such order. If there is no responsible person available, or if the person in charge refuses to shift the vessel as directed, the Seaport Department shall have the vessel shifted at the risk and expense of the vessel.

ITEM 246 UNAUTHORIZED BERTHING

Any vessel berthed in an unauthorized manner or shifted without approval of the Seaport Department shall be subject to an assessment in the amount equal to twice the published dockage fee. Such vessel may be moved to a properly designated berth without notice by the Seaport Department at the owner's risk and expense.

ITEM 248 VESSEL TO BE CONTINUOUSLY WORKED

Any vessel accepted for berthing at the Port of Miami-Dade may be required to be worked continuously to completion, even with overtime, if necessary, when the assigned berth or the Port of Miami-Dade is declared congested by the Port Director. Any vessel refusing to honor this requirement shall be considered as unauthorized berthing and the provisions of Item 246 shall apply.

ITEM 249 EMERGENCIES

In case of fire on board a vessel docked in Port, such vessels should sound five (5) prolonged blasts of its whistle or siren, each blast to be from four to six seconds in duration, to indicate a fire on board, or on the wharf at which the vessel is berthed. Such signal should be repeated at intervals to attract attention and be used as an additional method for reporting a fire.

ITEM 250 ALLOCATION OF SPACE, GENERAL

The Director shall control the allocation of the space, covered or open on the Seaport properties. All persons using port property in any manner shall strictly comply with such allocations. The Director is authorized to move freight or other articles, at owner's or agent's expense, in order to enforce this item. In all cases, the objective of space allocation is to insure maximum flexibility and utilization of available space, both covered and open, and the Director shall be the sole judge in the matter.

ITEM 252 LEASING

Where leasing is involved as for office, warehouse or open ground space, normal County procedures and requirements shall be followed in addition to those set out in this tariff.

ITEM 254 THIRD PARTY CONTRACTS

Users of the port properties shall not assign or transfer any right or privileges granted to it under the terms and conditions of any contractual agreement to which it is a party with the County, nor shall the users of the port enter into a contract with a third party involving the use or allocation of Seaport properties without the prior written approval of the Port Director.

SECTION FOUR: RULES & REGULATIONS FOR WHARVES

ITEM 260 CLEANLINESS OF PREMISES

All stevedores, terminal operators, vessels and their owners, agents, and all other users of the facilities shall be held responsible for the general cleanliness of their property, which has been allocated, assigned or leased, to them. This shall include those parts of the aprons, gutters, rail docks and truck docks used in connection with any specific loading, unloading or handling operations and yards. If such users do not properly clean the facilities or property they have been using or assigned, the Director may order the property cleaned and placed in good order and charge the users responsible at the following charges:

Sweeper and staff	\$84.00 per hour
Overtime (hour x 1.5)	\$126.00 per hour
Holidays (11 per County)	\$168.00 per hour

The Director, or his designee, may elect to utilize a third party (janitorial company, etc.) to effect the needed cleaning/housekeeping operation at the going rate at the time normally charged by the company selected plus a 5% administrative fee as calculated on the total of any invoice/s submitted by the company for the services rendered.

Tenants unable to perform these services may request these services on an as needed or regularly scheduled basis through the Seaport's Facilities Maintenance Division. These rates will require review annually.

ITEM 261 BOAT CRADLE REMOVAL

It is the responsibility of the stevedoring company to remove, or have removed, all boat cradles within seven (7) working days of delivery of boat. All cradles not removed within the 7 days shall be removed by the Seaport and a removal charge of Five Hundred Dollars (\$500.00) per cradle shall be assessed to the stevedoring company.

ITEM 262 DAMAGE TO FACILITIES

Vessels, their owners or agents, and all other users of the Port facilities or equipment shall be held financially responsible for any damage sustained while the facilities or equipment are in their control or which are occasioned by them. The Seaport Department may detain any vessel or other watercraft responsible for damage to the facilities until sufficient security has been given for the amount of damage. It shall be the responsibility of the users of the facilities or equipment to report any damages to the Seaport Department immediately.

ITEM 264 EMERGENCIES

Anyone on the Port property at any time becoming aware of an emergency situation of any nature should notify a Seaport Department representative by the fastest means, while taking such immediate direct action as may be appropriate.

ITEM 266 EXPLOSIVES INFLAMMABLES OTHER HAZARDOUS MATERIALS

Conveyors of dangerous cargo, as defined in the Code of Federal Regulations (CFR) must comply with all CFR requirements and obtain approval from the United States Coast Guard before such dangerous cargo is handled over or received on the wharves or other facilities of the Seaport. Failure to obtain approval shall be construed as an incomplete, inaccurate and/or late submission of documentation, and subject to provisions of Item 217 in this Tariff. Any cargo, including transshipments, which requires, for transport purposes, special labeling as hazardous, explosive, dangerous, flammable, radioactive, poisonous or gas is not allowed to remain on the Port overnight without prior, written notification to the Port Director or designee. Wharf Demurrage Charges shall apply after 24 hours.

ITEM 268 LOITERING ON PORT PROPERTY

It shall be unlawful for any Person to loiter upon the properties of the Seaport Department. It shall be unlawful for unauthorized Persons to enter cargo movement or handling areas. Persons using the Port facilities do so at their own risk, and the Seaport Department will assume no responsibility for injuries or damages sustained.

ITEM 270 SIGNS

Painting signs on structures belonging to the Seaport Department is prohibited without prior approval. Signs to be erected on the Port shall be furnished by the Port users and erected or placed by the user after the Director shall have approved the design, material and size of said signs. All signs shall be uniform.

ITEM 272 SMOKING

It is strictly prohibited and unlawful for any Person to smoke inside any building located on the Port, in accordance with the Florida Clean Indoor Air Act of 1987, as amended by the State Legislature in 1992, and the Miami-Dade County Administrative Order No. 8-6, as amended April 7, 1994. Further, smoking restrictions on outdoor smoking may be as posted.

ITEM 274 SOLICITATION

It shall be unlawful for any Person to solicit or carry on any business on the Seaport property without first obtaining a permit from the Seaport Department of Miami-Dade County as required by this tariff, by Ordinance No. 64-22, and subject to having the required occupational licenses.

ITEM 276 VEHICLES

It shall be unlawful to park automobiles in any restricted area or to park any automobile, truck, trailer or any other vehicle in loading zones for any longer period than is necessary to load or discharge cargo or passengers.

ITEM 278 SECURITY

It shall be the responsibility of all Seaport users and tenants to provide their own security personnel when they have cargo or other property on the Seaport that has a high susceptibility to theft. Security personnel so employed and utilized within a restricted area and/or area of cargo operations shall have in their possession a Seaport identification card issued in compliance with Chapter 28A of the Code of Miami-Dade County - Seaport Security and Operations. All security personnel so employed, whether armed or unarmed, shall be able to converse in the English language, and be licensed by the State of Florida. Seaport users and tenants intending to utilize security personnel, other than those security companies permitted to do business on the Seaport on a permanent basis, shall provide written notice at least 24 hours prior to their utilization. Such notice shall be addressed to the Seaport Security Division Chief, with a copy provided to the Cargo Operations Duty Officer.

ITEM 280 WHARF OBSTRUCTION

Stevedores' tools, appliances, equipment, vehicles, or any other material or object which is not part of the cargo will not be permitted to remain on the wharves and wharf premises, or in the transit sheds, except at the discretion of the Director. Cargo or gear will not be stored on the aprons, in driveways, roadways, on railroad tracks or any other locations that would hamper normal Port operations without specific approval of the Seaport Department. If not

removed when so ordered, it shall be subject to removal by the Seaport Department at the agent's expense, at cost plus 100%.

SECTION FIVE: DOCKAGE

ITEM 300 BASIS OF CHARGE

Dockage shall be based on the highest gross registered tonnage or the overall length of the vessel as shown in Lloyd's Register of Shipping, ship registry papers or yard papers. However, the County reserves the right to admeasure any vessel when deemed necessary and use such admeasurement as the basis for dockage.

ITEM 302 DURATION OF DOCKAGE

Dockage shall commence when a vessel is made fast to a wharf, pier, bulkhead structure, or bank or to another vessel so berthed, and shall constitute one day's dockage for the ensuing 24-hour period or any part thereof. Any part of a subsequent 24-hour period shall be construed as an additional day until such vessel has vacated the berth. Dockage is based on straight running time. Shifting from one assigned berth to another or sea trials shall not interrupt the straight running time. In the event of multiple daily sailings for the same vessel, only one dockage fee per 24-hour period will be assessed.

ITEM 303 DOCKAGE FOR CULTURAL, CHARITABLE EVENTS

Upon submission of a written request and at the Director's discretion, non-home-ported vessels docked at the port for cultural, educational, and/or charitable events may be exempt from dockage charges.

ITEM 304 DOCKAGE FOR UNAUTHORIZED BERTHING

Any vessel berthed in an unauthorized manner or shifted without approval of the Seaport Department shall be subject to dockage in an amount equal to twice the published fee. (See also Item 246)

Item 305 DOCKAGE RATES FOR TUGS

The Port will provide non-fixed dockage for berthing permitted tugs engaged in tugboat towing and related services. All berths shall be assigned by the Seaport Operations Berthing Office. The Port reserves the right to move or rotate the berth locations to accommodate commercial shipping and/or cruise traffic.

ITEM 306 DOCKAGE CHARGES EXCEPT GOVERNMENT VESSELS AND OCEAN RESEARCH VESSELS (A)

Cruise passenger vessels arriving on any day Monday through Saturday, and departing within less than 24 hours from time of arrival, shall be assessed dockage on the basis of each gross registered ton per 24-hour period or fraction thereof at the rate of.....\$.24 *

Cruise passenger vessels arriving on Sunday, and departing within less than 24 hours from time of arrival, shall be assessed dockage on the basis of each gross registered ton per 24-hour period or fraction thereof at the rate of..... \$.21 *

Cruise passenger daily vessels, whose published schedule provides for not less than 300 calls during a twelve (12) month period, shall be assessed dockage on the basis of each gross registered ton per 24-hour period, or fraction thereof at the rate of..... \$.14 *

Such a vessel, which for any reason fails to complete a minimum of 300 calls during such twelve (12) month period, shall retroactively be assessed dockage as otherwise provided for in this item.

Multi-day cruise vessels with a capacity of less than 200 passengers arriving on a weekday, and departing within 24 hours from time of arrival, shall be assessed dockage based on each gross registered ton per 24-hour period or fraction thereof at the rate of\$.20 *

Intercoastal Tug and Barge Lines providing container service between Miami and other continental U.S. ports will not be assessed dockage charges while they are loading or discharging containers. Special rates for these services are listed under Cargo Wharfage Charges.

All other vessels shall be assessed dockage based on gross registered ton per 24-hour period or fraction thereof at the rate of..... \$.24

In the absence of reliable tonnage data, vessel shall be assessed for each lineal foot per 24-hour period or fraction thereof at the rate of..... \$2.55

* Excluding inaugural activities for homeport ships at the discretion of the Director.

ITEM 308 DOCKAGE CHARGES FOR MILITARY VESSELS (A)

U.S. Naval vessels, U.S. Coast Guard, foreign Naval vessels, and historical and/or heritage vessels visiting the Port of Miami-Dade, shall be assessed dockage on the basis of each displacement ton per 24-hour period or fraction thereof at the rate of..... \$.14

ITEM 309 DOCKAGE CHARGES FOR OCEAN RESEARCH VESSELS (A)

Ocean research vessels shall be assessed dockage on the basis of each gross registered ton per 24-hour period or fraction thereof at the rate of..... \$.16

ITEM 310 MINIMUM CHARGE (A)

The minimum charge for dockage, per day or fraction thereof, shall be One Hundred Ninety Dollars (\$190.00).

ITEM 311 BERTHING FOR CLEARANCE

Vessels docking only for U.S. Customs, Immigration and Naturalization Service or Agriculture Department clearance will be granted two-(2) hours free time. After the initial two- (2) hour free period, regular applicable dockage rates shall apply per 24-hour period or fraction thereof.

ITEM 312 DOCKAGE RATES FOR VESSEL WET DOCKING

Upon approval of the Port Director, with advance written application to the Assistant Director of Operations, when proper berthing space is available, vessels calling for the purpose of wet docking, for repair or lay up the following dockage rates will apply:

Day one through seven - 75% of Tariff

Day eight and beyond - 50% of Tariff

On any days during which passengers embark or disembark, or cargo is loaded or unloaded, dockage will be charged at 100% of tariff.

SECTION SIX: WHARFAGE

ITEM 404 SHIP'S STORES

No charge for wharfage will be made on ship's stores.

ITEM 405 CALCULATION OF CARGO TONNAGE

Only full tons will be used when calculating cargo tonnage subject to wharfage rates. Manifest weight totals expressed in pounds will be converted to the nearest full ton as follows: Fractions over a full ton, but less than 0.5 (2) will be dropped; when 0.5 or more, the next highest ton figure will be used.

ITEM 406 CARGO WHARFAGE CHARGES (A)

ALL ARTICLES – not otherwise provided for, per ton	\$2.00
LUMBER, per ton	\$2.00
SCRAP METAL, (Lightered), per ton	\$1.20
AUTOMOBILES	\$3.80
BUSES & TRUCKS, and other heavy equipment, per ton	\$1.85
OPEN FRAME TYPE CAR CARRIERS, single or multiple ea.	\$2.15
TRAILERS & CONTAINERS of any type, loaded/empty (exclusive of cargo included therein)	\$1.60
YACHTS/BOATS, per foot, up to 25 ft.	\$1.85
(Minimum Invoice \$32.00), Over 25 ft.	\$6.00

INTERCOASTAL TUG AND BARGE LINES providing service between Miami and other continental U.S. ports will be assessed wharfage on a per container basis for both loading and discharging containers.

Loaded containers - \$22.00

Empty containers - \$10.00

ITEM 408 PASSENGER WHARFAGE CHARGES (A)

Vessels offering multi-day cruises: *

Passengers, including children and passengers in transit, same vessel, embarking (including security charge) each - \$8.00

Vessels offering multi-day cruises: *

Passengers, including children, and passengers in transit, same vessel, debarking (including security charge) each - \$8.00

Port –of – call vessels:

Embarking and debarking, per manifested passenger - \$8.00

Vessels offering multi-day cruises, with a capacity of less than 200 passengers:

*

Passengers, including children and passengers in transit, Embarking (including security charge) each - \$6.40

Passengers, including children and passengers in transit, Debarking (including security charge) each - \$6.40

Vessels offering daily cruises, minimum of 200 calls per year: *

Passengers, including children

Embarking (including security charge) each - \$2.60

Passengers, including children

Debarking (including security charge) each - \$2.60

Vessels offering daily cruises to nowhere, minimum of 300 calls per year:

Passengers, including children Embarking (including security charge) each - \$1.55

Passengers, including children Debarking (including security charge) each - \$1.55

* (Excluding inaugural activities for homeport ships at the discretion of the Seaport Director.)

ITEM 409 PASSENGER VEHICLE WHARFAGE (A)

Automobiles, motorcycles, or other self-propelled vehicles, when accompanied by a cruise or ferry passenger will be subject to the following assessment:

Outbound wharfage per vehicle - \$3.80

Inbound wharfage per vehicle - \$3.80

No charge for bicycles. No charge for any trailer when towed by a self-propelled vehicle.

ITEM 410 OVERLAND CARGO ARRIVING FROM OTHER U.S. SEAPORTS

Cargo (including container weight) off-loaded on other U.S. ports and transported overland to the Port of Miami-Dade for local distribution will be subject to the following assessment: The current tariff wharfage rate will be assessed and such cargo will be granted 30 days free time including Saturdays, Sundays and legal holidays. After this free time, the wharf demurrage charges in Item 504 will apply. Prior notice of such cargo arriving on the Port will be given on forms furnished by the Port. (Form 404.01-58).

ITEM 412 MINIMUM WHARFAGE CHARGE (A)

The minimum invoice for cargo or passenger wharfage shall be \$75.00.

ITEM 414 TRANS-SHIPMENTS

Waterborne inbound cargo received at a terminal from a vessel for subsequent reloading which is not removed from the Port of Miami-Dade, and is reshipped aboard another vessel in waterborne commerce from the Port of Miami-Dade, will be assessed a wharfage rate on the inbound movement only based on the rates set forth in Item 406 Tariff #010. In order for cargo to be entitled to this transshipment provision, it is required that the owner and/or agent designate upon entry at the Port of Miami-Dade that such cargo is to be transshipped and that a copy of the "Transshipment Cargo Log" be presented with the outbound cargo manifest. This special transshipment provision shall not apply to trailers or containers, except as noted below. Trailers and containers, empty or loaded, will be assessed wharfage on both inbound and outbound movements and will be allowed two free time periods. Loaded waterborne containers and trailers that are discharged from a vessel and subsequently reloaded upon a vessel of the same line from the same terminal without the cargo being rehandled in any way and is exported within 30 days will be assessed wharfage on the inbound leg only. It is required that the owner and/or agent designate upon discharge at the Port of Miami-Dade that such loaded container or trailer is to be transshipped and that a copy of the "Transshipment Cargo Log," which clearly identifies the inbound vessel and voyage number, be presented with the manifest of the outbound vessel. The provisions of this Item shall not apply to wharfage rates that are discounted or established by negotiated contract unless so designated.

SECTION SEVEN: WHARF DEMURRAGE & TERMINAL STORAGE

ITEM 500 FREE TIME ALLOWANCE

Inbound and outbound cargo shipped or transshipped through the Port shall be allowed 15 days free time (including weekends and legal holidays). Upon submission of a written request and approval by the Port Director, bulk commodities and break bulk cargo shall be allowed up to an additional free time of 30 days.

ITEM 502 COMPUTATION OF FREE TIME

OUTBOUND CARGO

The free time allowed for assembling outbound cargo shall commence at 12:01 a.m. of the day following placement of the cargo on the Port. The days during the loading of a vessel shall not be counted as wharf demurrage days. It shall be the responsibility of the Port users to clearly state on the Vessel Report forms, provided by the Seaport Department, in the space provided thereon, the first day of loading. Failure to provide this information will result in the Seaport Department computing demurrage using the date of the ship's arrival.

INBOUND CARGO

The free time allowed for removing inbound cargo shall commence at 12:01 a.m. of the day following the day the vessel completes discharging.

ITEM 504 WHARF DEMURRAGE CHARGES (A)

All cargo remaining on the Port after the free time period and not accepted for storage shall thereafter be assessed a wharf demurrage charge on the same weight basis as wharfage as follows:

- 1.** For each of the first 7 days or fraction thereof, per ton or fraction thereof, \$0.75
- 2.** For the 8th and all succeeding days, or fraction thereof, per ton or fraction thereof, \$1.20

The minimum invoice for wharf demurrage shall be \$50.00.

ITEM 506 NON-SHIPMENTBY WATER

Cargo delivered on the Port for export and not loaded on a vessel berthed at the Port of Miami-Dade and subsequently moved inland from the Port is subject to wharf demurrage charges with no free time allowance commencing with the date of arrival on the Port.

ITEM 508 TERMINAL STORAGE CHARGES (A)

Upon application to the Port Director prior to arrival of the vessel at Port, and at his discretion, certain types of freight or cargo may be accepted for storage, for specified periods, with charges to be assessed as follows:

A - Charge for first month, or fraction thereof.

B - Charge for second month, or fraction thereof.

C - Charge for third month and each succeeding month, or fraction thereof.

TERMINAL STORAGE:	A	B	C
Closed or covered, per ton			
All items N.O.S.	\$3.00	\$6.03	\$9.04
Lumber, per ton	\$3.00	\$6.03	\$9.04
Automobiles, per day	\$4.53	\$6.79	\$9.05
Paper, newsprint in rolls	\$2.26	\$2.71	\$3.16

TERMINAL STORAGE:			
Open or ground, per ton			
All items N.O.S.	\$2.26	\$4.53	\$9.04
Lumber, per ton	\$2.26	\$4.53	\$6.79
Automobiles, per day	\$3.00	\$4.50	\$6.00
Trucks, buses, vehicles, per day	\$6.03	\$9.04	\$12.05
Trailers, containers, chassis,			
- Loaded/empty 20 ft.	\$3.00	\$4.50	\$6.00
- Over 20 ft.	\$6.03	\$9.04	\$12.05
Boats/yachts (cradled or trailered)			
Including empty cradles or trailers	\$23.26	\$34.89	\$46.53
Steel and aluminum materials, per ton	\$1.94	\$2.91	\$3.88

NOTE: Upon submission of a written request and approval by the Port Director, bulk commodities and break bulk cargo shall be allowed up to 30 days free time.

ITEM 512 MINIMUM STORAGE CHARGES (A)

The minimum invoice for either terminal storage charges or open storage charges shall be \$37.50.

SECTION EIGHT: CONTAINER CRANE FACILITY

ITEM 550 CONTAINER GANTRY CRANE RULES AND REGULATIONS

Any authorized stevedore (crane user) wishing to use container gantry crane(s), including all attached and ancillary parts and equipment [hereinafter referred to as "crane(s)"] shall make application for crane(s) rental use 12 hours prior to start-up time. Such applications shall specify the date and time of proposed use, the estimated length of use and number of cranes needed. The crane user shall return the crane(s) without delay, upon completion of his operations. The crane user shall provide all necessary operators and perform all stevedoring required in connection with container crane(s) use. When the crane(s) is/are ordered but not used, and orders are not modified or canceled within 6 hours, standby time for maintenance personnel will be assessed at the current labor rates, subject to a minimum charge of two hours straight time or four hours overtime. Any incurred

cost is the responsibility of the user; such as balance of guarantees, meal hours, or any other costs not covered under rental fee or start-up and secure. It shall be the ship's responsibility to stow all of its cranes in an offshore position prior to the time that the container gantry cranes are put into service. In the event that it is necessary to use the ship's cranes for any reason while the container gantry cranes are still in use at any time prior to the container gantry cranes' complete removal from the vessel, the container gantry cranes shall have the absolute right of way and all movements of the ship's cranes will be subservient to the container gantry cranes' movements and operations. Accordingly, it will be the responsibility and obligation of the ship and its stevedores to keep a proper lookout and to ensure that the movements or operation of the ship's cranes do not interfere with the operations or movements of the container gantry crane. The ship will not begin to move its cranes into sea position until after the container gantry crane has fully completed its operations and movements and is fully clear from the ship and its cranes. It shall be the stevedore's responsibility to assure that the ship is aware of and complies with its responsibilities to stow and operate its cranes in conformance with these regulations.

ITEM 560 CRANE RATES (A, D)

Container Gantry Crane rental rates per hour are as follows:

Gantry crane(s) (Without operator)	Regular hours	\$540.00
	Overtime hours	\$605.00
Small Boat	Regular hours	\$440.00
	Overtime hours	\$503.00
Standby time, per hour (all cranes)	Regular hours	\$151.50
	Overtime hours	\$198.00

Intercoastal Tug and Barge Lines providing service between Miami and other continental U.S. ports will be charged Crane Rental on a per container basis.....\$13.00 per container loaded/unloaded.

Minimum rental period per crane is 4 hours per steamship line. Billing will be based on 1-hour increments with any fraction of an hour to be carried to the next full hour. Rental charges include maintenance. The crane user will be charged for assigned maintenance personnel for standby time for vessel delays or weather interference at above rates per hour. No charge will be assessed for downtime due to mechanical and/or electrical malfunction of the crane(s). Except for weather interference, labor standby time for delays will be charged from the time for which the equipment is ordered until the equipment begins operations. One (1) hour start-up and one (1) hour shutdown time will be charged for labor only. Costs incurred for the repositioning of crane(s), during a meal hour, when requested by the user, shall be billed according to the established labor rates.

ITEM 570 CONTAINER GANTRY CRANE CHARACTERISTICS (C)

The Port of Miami operates twelve (12) ship-to-shore container handling gantry cranes on seven (7) wharves (6,100 linear feet). Of the twelve cranes, three are low-profile/shuttle-boom (cranes 1-3) and nine are high-profile/luffing boom machinery-on-trolley cranes. Of these, two (cranes 11-12) are super post-panamax cranes.

Capacity:

Below Spreader

40/50/50 Long Tons

Below Cargo Hook

45/70/75 Long Tons

Outreach from waterside rail:

125/151/213 Feet

Total Hoisting Height:

135/150/181 Feet

Special technical characteristics are available upon request.

ITEM 580 PAYMENT OF BILLS

The stevedore making arrangements for the rental of the crane(s) will be held responsible for paying all charges incurred by its use, as defined in other sections of this Tariff, to the Seaport Department.

ITEM 584 HEAVY LIFT CHARGES

In all single lifts, which exceed 90,000 pounds (with hook), a heavy lift charge of \$2.50 per short ton will be assessed on the weight exceeding 90,000 pounds, which will be in addition to crane(s) rental charges. Weights listed on manifests will govern heavy lift charges, if actual weights are not provided.

ITEM 586 CRANE CONDITION

The crane(s) will be in operating condition when turned over to the crane user and will be returned in the same condition as when received, wear and tear alone excepted. All repairs will be effected through the maintenance operator or through their designated contractor and billed accordingly for repair costs incurred. Downtime caused by crane user negligence will be charged at the rate as per paragraph entitled RATES included in this Section, acts of God excepted.

ITEM 588 DAMAGES SUSTAINED TO CRANE

Any damages which render the crane(s) inoperable due to crane user negligence, and which may preclude the Seaport from any operating revenues, will be the responsibility of the stevedore to reimburse the Seaport for such revenues during the period of repair.

ITEM 590 INSURANCE

All stevedores are required to furnish certificates of insurance to the crane maintenance management company who reserves the right to deny use of the crane(s) to any firm supplying false, incomplete or misleading insurance

information. Stevedores Legal Liability Insurance and Comprehensive General Liability Insurance coverage shall be provided as liability against damages resulting from loading and unloading vessels by the stevedore. This insurance shall be a minimum of \$5,000,000.00 for each occurrence. Miami-Dade County, Florida (Port of Miami-Dade) and the crane maintenance management company shall be named as additional name insured. These requirements are in addition to previous insurance requirements per other sections of this tariff. The above insurance policies shall not be canceled or allowed to expire until thirty days after the Seaport has received written notice thereof from the insurance carrier.

ITEM 596 CLEANING FACILITIES

All users of the crane(s) shall be held responsible for cleaning the facilities after using them, including the adjacent aprons and gutters. If the facilities are not properly cleaned, charges shall be assessed as noted in other sections of this Tariff.

SECTION NINE: RENTALS & LEASES

ITEM 600 RENTAL OF SPACE, OLD PORT

DELETED - No longer applicable. Old Port properties returned to the City of Miami on March 7, 1972.

ITEM 602 RENTAL OF SPACE (A, C)

Office Space in 1001, 1007 & 1015 Maritime Administration Building - Floors 1, 2, & 3

\$18.00* per square foot, per year which includes air conditioning, lights, electricity, and with or without janitorial services. Whether five year, annual lease or month-to-month rental.

Office Space in 1007, Floors 4 and 5, Passenger Terminals B through J & Floor Open Space in all Terminals B - J

\$20.00* per square foot, per year which includes air conditioning, lights, electricity, and with or without janitorial services. Whether five year, annual lease or month-to-month rental.

Office Space in Building 1040

\$18.00* per square foot, per year which includes air conditioning, lights, electricity, and with or without janitorial services. Whether five year, annual lease or month-to-month rental.

Office Space at Locations a through h

\$17.00* per square foot, per year which includes air conditioning, lights, electricity, and with or without janitorial services. Whether five year, annual lease or month-to-month rental.

- a) 1901 Antarctica Way
- b) 655 Asia Way
- c) 1790 Port Boulevard
- d) 1600 Port Boulevard
- e) 1610 Port Boulevard
- f) 1500 Port Boulevard
- g) 1630 Port Boulevard
- h) 1020 Port Boulevard

Modular Office Space

\$13.00* per square foot, per year which includes air conditioning, lights, electricity, and with or without janitorial services. Either annual lease or month-to-month rental.(5 year term maximum)

*Note: Deduct \$1.00 per square foot for janitorial and \$1.00 per square foot for electricity, if not included. Tenant in Administrative Complex (Bldg. 1001, 1007, & 1015) must utilize only Seaport Staff.

Airline Counter Space in Passenger Terminals

\$30.00 per square foot per year, on a year-to-year lease basis, which will include a prescribed allocation of space, Port-owned ticket counter/desk, lighting and electricity for vendor-provided equipment, maintenance for Port-owned property, and janitorial services.

Warehouse Space or Transit Shed Space

\$3.00 - 8.50* per square foot, per year which does not include air conditioning, lights, electricity, or janitorial services. Either annual lease or month-to-month rental.

Passenger Terminal Warehouse Space

\$7.50 - 8.00* per square foot, per year which does not include air conditioning, lights, electricity, or janitorial services. Either annual lease or month-to-month rental.

Equipment Maintenance Space

\$7.00 - 8.25* per square foot, per year which does not include air conditioning, lights, electricity, or janitorial services. Either annual lease or month-to-month rental.

*Any related rate adjustment as determined by the Port Director will be in addition to rental charges.

Portable Telecommunications Antennas

..... \$2,000.00 per month, or any part thereof, will be assessed for each Portable Telecommunications Antenna temporarily* emplaced. This amount will be in addition to the associated open ground space charge at the maximum non-containerized ground space lease rate, and any other charges imposed by this tariff. For the purpose of this item, open ground space will be any space, improved or otherwise, to include parking space, as deemed appropriate by the Port Director. All Information Technology Department (ITD) requirements must be met before any installation is approved.

*The emplacement of a portable antenna under this tariff provision is with the understanding that the associated lease agreement would be on a month-to-month basis and in effect during the time required to install a permanent-type antenna as approved by the Port Director.

Wall-mounted Telecommunications Antennas

The per annum fixed rate for space for wall-mounted telecommunications antennas and support equipment, on a year-to-year basis, shall be not less than \$15,000.00 and based on the following schedule:

Category	Antennas	Support Equipment	Rate Per Year
1	One (1) or any array of not more than three (3) wall-mounted antennas encompassing not more than seven (7) linear feet between each antenna	Equipment required for initial setup to support antenna(s), not exceeding the following: electric panel, electric meter, transformer, stand-alone air conditioning unit, disconnect switch, antenna receiver unit, and cabling	\$20,000.00
2	One (1) to not more than an array of three (3) additional wall-mounted antennas encompassing a span of not more than seven (7) linear feet between each antenna.	Except for required cabling, this schedule does not provide for any additional support equipment.	\$5,000.00
3	This schedule does not provide for any additional antennas.	Additional support equipment but less than that required for an initial setup.	\$5,000.00

- Support equipment (each component thereof) will be of reasonable and customary dimensions subject to the approval of the Port Director.
- Cabling includes coaxial cable, electric wiring, and associated conduit and bracketing required to connect antenna(s) to support equipment, support equipment to each other, and from support equipment to power source.
- Vendor will pay for electric utility use separate from antenna lease rate.
- Vendor will be responsible for all installation, to include the installation of an electric meter, maintenance, repair, and replacement.
- Under Schedule 3, should the Port Director deem the additional equipment to be equal to an initial set-up as provided for in Schedule 1, a Schedule 1 rate will be assessed.

Installation and use of any antenna(s) and/or support equipment shall not interfere with the operation of another vendor's or the Port's antennas and/or support equipment or any other operational system, and it will comply with all applicable laws, including all zoning codes and requirements of the Miami-Dade County Code; Ordinance No. 01-157; South Florida Building Code; Miami-Dade County Information Technology Department; Federal Communications Commission; National Council on Radiation Protection and Measurement; Institute of Electrical and Electric Engineers; and American National Standards Institute.

TEMPORARY AND/OR MOBILE OFFICE STRUCTURES in any area will be leased on a non-exclusive basis at rates as determined by the Port Director in conformity with structure cost amortization and the latest land appraisal rates. Utilities and/or janitorial charges to be assessed as determined by the Port Director. (Whether five year, annual lease or month to month rental).

ITEM 604 OPEN GROUND LEASES (C)

Open ground storage area rented monthly or annually for Port related use on a non-exclusive basis, will be leased at rates as determined by the Port Director, but no less than 50 cents nor more than \$4.50 per square foot per year depending upon location. Such leases whether five year, annual or month-to-month do not provide for electricity, water, sewer, landscaping, maintenance, housekeeping, fencing, paving or asphalt repairs.

ITEM 605 INSIDE

All fencing inside transit sheds warehouses and passenger terminals must be authorized by the Port Director. All original fencing or subsequent modifications will be installed at the expense of the applicable Port user. After installation, the fencing becomes the property of the Seaport Department of Miami-Dade County (Port of Miami-Dade).

ITEM 606 OTHER

Port tenants not directly involved in the transportation of passengers or cargo from Port of Miami-Dade facilities may be assessed an additional rental charge based on a percentage of their annual gross revenue, as determined by the Port Director, in addition to the charges in Item 602 or 604 above. Such charge shall not exceed 40% of the affected tenant's annual gross revenue. Annual gross revenue shall include all revenue derived from the sale of merchandise or services at the leased premises, exclusive of any Florida State Sales Tax collected from customers.

SECTION TEN: MISCELLANEOUS CHARGES

ITEM 700 FRESH WATER (A)

Charges for fresh water delivered to vessels at piers or wharves shall be assessed as follows: Per ton, 250 gallons, \$1.20

The minimum invoice for fresh water charged per vessel shall be \$22.00

ITEM 703 FUMIGATION CHARGE

For providing electrical hook up and space for U.S.D.A fumigation, the Port fee for this service per container or equivalent amount of cargo per day\$39.00

ITEM 705 ELECTRIC CURRENT FOR REFRIGERATED UNITS (A)

When electricity is furnished to refrigerated containers and/or trailers by the Port, an additional utility charge per unit shall be assessed, at the rate per day of...\$39.00. Such charge shall be assessed for each 24-hour period or fractional part thereof. Except in the case of the Port's own negligence, the Port shall not be responsible for loss or damage caused by power failure, electrical surges, electrical or mechanical equipment failure or any other type of breakdown/failure.

ITEM 707 HARBOR FEE (A)

The following Harbor fee shall be charged to each vessel on a per call basis (effective 10/1/99), excluding inaugural activities for homeport ships at the discretion of the Director.)

0-10,000 Gross Registered Tons	\$200.00
10,001 GRT and over	\$250.00
Passenger vessels making 300 and more	
Sailings per year	\$50.00

In the event of multiple daily sailings for the same vessel, only one harbor fee per 24-hour period will be assessed.

ITEM 708 SCALE CHARGE

Charges for providing truck-weighing service on the Port of Miami-Dade scale will be assessed according to rates designated by the Seaport Director.

ITEM 709 VEHICLE EXAMINATION FACILITY CHARGE

All exporters of used self-propelled vehicles which use the Seaport's vehicle examination facility for the purpose of the presentation and validation of required documentation by U.S. Customs & Border Protection in accordance with Customs Regulations (19 CFR 192), will be assessed a usage fee of seven dollars and fifty cents \$7.50 per vehicle in accordance with the Code of Miami-Dade County, Florida, Sec. 28A, as put forth by the Board of County Commissioners of Miami-Dade County, Florida.

Two dollars and fifty cents (\$2.50) of every seven dollars and fifty cents (\$7.50) collected shall be allocated to the Miami-Dade County Multi-Agency Auto Theft Task Force for purposes of enhancing security at, and interdicting the flow of stolen motor vehicles through the Port of Miami.

ITEM 710 VEHICLE PARKING AT THE PORT

Facilities are available for the parking of vehicles for passengers boarding ships and for Port visitors and workers at rates designated by the Seaport Director. All established parking rates will be posted at each facility and applied to the day a vehicle enters the parking lot and to each succeeding day it remains on the lot. Parking garages as well as unattended ground parking areas, when properly posted as such, can be available to the general public at no charge for certain maritime industry related events as designated by the Port Director.

ITEM 713 RETURNED CHECK SERVICE FEE

A service fee will be assessed for the collection of a dishonored check, draft, or other order for the payment of money to the Port of Miami-Dade, in accordance with the rate structure established by Miami-Dade County, in Administrative Order 4-86. This service fee shall be in addition to all other penalties imposed by this tariff.

ITEM 714 ANNUAL PERMIT FEES (A)

No one may engage in a business transaction or provide services on the Port of Miami-Dade without first obtaining a business permit, supplying evidence of insurance coverage, and complying with all other applicable provisions of the tariff and/or other pertinent regulations issued by the Port Director and the Miami-Dade County Code. Exempt from the business permit requirement are: 1) those entities whose sole function on the Port is to fulfill the requirements of U.S. government regulatory agencies; 2) County-approved vendors, their sub-contractors and suppliers, while performing the tasks called for under their contract with Miami-Dade; and 3) Governmental entities. Applications for a permit to conduct business as a Stevedore must be in accordance with Miami-Dade Code Chapter 28A-6 and/or as determined by the Seaport Director.

Cartage companies shall provide evidence of insurance, including, without limitation, a listing of all covered vehicles including vehicle description and VIN; the names and driver's license numbers of each driver retained by the cartage company and the corresponding policy number for each; copies of both the certificates of insurance and applicable insurance policies; and a certification that each driver and vehicle entering the port on behalf of the cartage company is insured in compliance with all applicable laws. This information shall be continuously updated by each cartage company by providing written notice of any proposed insurance changes to the Port in advance. When entering the Port, all vehicles must have a current *Insurance Identification Card* to include a vehicle description and serial number. Failure to provide such may be grounds for revoking the business permit and/or I.D.

Permit fees shall be applied on an annual basis commencing on the date of issuance except for stevedore permit fees which shall be applied on an annual basis commencing on January 15 of every year.

Permit renewals not received by the expiration date shall result in a delinquent payment fee of \$25.00 for each month that the permit remains unpaid up to three months. Any permit not renewed by the end of the third month shall be cancelled and the initial processing fee and annual permit fee shall be required for reinstatement.

Initial Processing Fee (non-refundable) (all categories not otherwise listed	\$300.00
Off-Port Intermodal Facility Initial Processing Fee (non-refundable)	\$1,500.00
Initiation Fee or Reinstatement Fee for Tug Services	\$6,000.00

The following annual permit fees are applicable to the following business categories:

Fuel or bunker charges, per barge	\$1,500.00
Mobile Food/Drink, per Truck	\$3,000.00
Off-Port Intermodal Transportation Facility	\$5,000.00
Ship Chandlers/Suppliers	\$600.00
Ship's Agents	\$1,500.00
Stevedoring Firms	\$5,000.00
Tug Services, three tugs or less	\$25,000.00
Each additional tug over three berthed at Port of Miami longer than 30 days	\$5,000.00
Distribution of Merchandise/Services for sale, not otherwise listed	\$300.00
Tow Truck/Vehicle Delivery Service (No Initial Processing Fee)	\$60.00

Fees and time period for all other activities not listed above shall be determined by the Port Director.

User permit renewal is subject to satisfaction of any outstanding balances due to the Seaport Department

In addition to permit requirements for companies, all individuals must comply with all applicable local, state, and federal requirements to obtain a Port. I.D. for which the charge is as follows:

Port I.D:	
New	\$60.00
Renewal	\$40.00
Fifth year renewal, requiring background check, etc.	\$60.00
One day pass	\$5.00

Replacement	\$25.00
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Taxicabs, per trip	\$2.00
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In addition to the annual permit fee established above, Ground Transportation Companies shall be subject to the following per trip fees for each vehicle.

Type Vehicle Rate	Passenger Capacity	Per Trip
Limousines and Vans	11 Passengers or less	\$6.00
Mini-Buses	12-20 Passengers	\$12.00
Bus	21 or more passengers	\$24.00

Rental car companies conducting business activities at the Port of Miami-Dade but not operating under a non-exclusive license agreement with the Port shall be assessed a percentage of the gross revenues arising from such activities at an annual rate of 8%. Business activities for rental car companies include, but are not limited to, the pick-up of passengers via courtesy vehicles for transportation to rental car facilities off the Port.

ITEM 715 SPECIAL DOCK PARKING PERMIT (A)

All requests for a Special Dock Parking Permit must be in writing to the Seaport Security Division. Upon receipt, a recommendation will be made to the Seaport Director, who is the final approving authority. Each request must specify the specific reason the request is being made, as well as any other extenuating factors. Special Dock Parking Permits, valid for one year, will only be issued to those individuals who have a justified requirement to park their vehicle dockside in a restricted area on the Seaport. All individuals issued a Special Dock Parking Permit shall also have a valid Seaport identification card in their possession pursuant to County Ordinance 28A, Seaport Security, and Operations.

Special Dock Parking Permit - \$50.00, per year

SECTION ELEVEN: GENERAL INFORMATION

ITEM 800 MIAMI HARBOR

The Miami Harbor embraces the artificial basins, slips and channels that have been dredged along the bay front of Miami and in the bay and through the waters of Biscayne Bay to the ocean, and is located generally at Latitude 25-46' No. Longitude 80-10'W.

ITEM 802 MAIN CHANNEL

The entrance to the main channel is directly east of the City of Miami, approximately 4.5 miles. The sea buoy marking the channel entrance through

the reef is about 2 miles offshore. The entrance is an artificial cut 1,000 feet wide, known as Government Cut, dredged across the southern end of Miami Beach. It is protected by jetties and is well marked. A channel has been developed to a control depth of 44 feet, and 500 feet wide on the sea end to the jetties and 500 feet wide with a control depth of 42 feet to the turning area on the east tip of Lummus Island thence into Fisherman's Channel along the gantry berth area for a distance 4,100 feet. The Fisherman's Channel continues westward for 8,000 feet at depth 25 feet. The main channel along the northside of Lummus and Dodge Islands is 500 feet wide with a 36-foot control depth, which continues westward across Biscayne Bay to the main turning basin.

ITEM 806 FISHERMAN'S CHANNEL

From Government Cut, the Fisherman's Channel has been dredged with a control depth of 42 feet for the easternmost 4,100 feet and a control depth of 25 feet for 8,000 feet to the west. Minimum width of 500 feet, Fisherman's Channel provides a direct connection to the wharves on the south side of Dodge and Lummus Islands and the mouth of the Miami River. At the extreme west end of Fisherman's Channel, a 1,000 foot turning basin is dredged to a control depth of 25 feet to facilitate turning movement of ships to and from the Miami River. At the wide point of the Fisherman's Channel, a 900-foot wide turning basin is provided at the location of the east channel slip.

ITEM 808 MAIN TURNING BASIN

The main turning basin is 1,700 feet north and south and 1,650 feet east and west, with a control depth of 36 feet.

ITEM 810 FISHER ISLAND TURNING BASIN

An additional turning basin is located in the triangular area between the main channel and the north side of Fisher Island and is dredged 42 feet to provide a turning basin at the junction of the main and Fisherman's Channels.

ITEM 812 MIAMI RIVER

Miami River has channel dredged to 15 feet at high water, 150 feet wide for a distance of 3 miles above the mouth, thence 125 feet wide to a point 4.1 miles above the mouth; thence 90 feet wide to a point 5-1/2 miles above the mouth, and is connected to the Fisherman's Channel on the south side of Dodge and Lummus Islands.

ITEM 814 INTRACOASTAL WATERWAY

The Intracoastal Waterway is in general 150 feet wide and 12 feet deep at local mean low water from Jacksonville to Fort Pierce and from Fort Pierce to Miami 125 feet wide and 10 feet deep.

ITEM 816 ANCHORAGE

The prescribed anchorage area for vessels anchoring outside the harbor is located eastward of a line about 1.5 nautical miles off shore and northward of a

line about 0.2 nautical miles north of the sea buoy at the entrance to the ship channel. The entire anchorage area lies north of the entrance channel to Miami. The northern and southern extremities of this area are marked by nun buoys. Vessels desiring to anchor off the entrance to the Harbor of Miami are required to do so within this area, to avoid possible damage to cables laid on the ocean bottom in the vicinity. Refer to anchorage area 110.188 on National Oceanic and Atmospheric Administration Survey Chart # 11466 & # 11468.

ITEM 818 TIDES AND TIDAL CURRENTS

The normal mean tidal range at the entrance to Miami Harbor is 2.5 feet, and in the bay it is about 2.0 feet. The extreme tidal range is about 4.0 feet at the entrance. Easterly winds sometimes raise the water level 1.5 feet at the entrance and from 1.0 to 0.5 feet in the bay. The tidal currents at the entrance to Biscayne Bay may reach a velocity of 1-1/2 to 3 knots through the main channel.

ITEM 850 DESCRIPTION (C)

The Port of Miami-Dade, under continuing construction on the Dodge and Lummus Island sites south of the main channel opposite MacArthur Causeway, is being built on 525 acres. Current improvements are described as follows:

Marginal Berthing

7,100 feet along the north side with 36 feet of water at MLW.

1,290 feet north east side with 36 feet of water at MLW.

6,095 feet along the southeast side of Lummus Island and Fisherman's Channel with 42 feet depth of MLW at the gantry crane facility.

700 feet along the south side at the south east corner of Dodge Island and with 25 feet of water at MLW.

One berth at northwest section - 750 feet long with 32 feet.

1,390 feet at the west end of Fisherman's Channel with a depth of 25 feet MLW.

Width of Apron

70 to 100 feet, north side

50 to 100 feet, east side

50 to 100 feet, south side

50 to 100 feet, west side

Apron Above MLW

7.5 feet on all sides

Roll-on/Roll-off Ramps

Eight fixed ramps designated

Bay 55, 900 linear feet above MLW

Bay 59, 300 linear feet above MLW
Bay 65, 690 linear feet above MLW
Bay 154, 670 linear feet above MLW
Bay 155, 550 linear feet above MLW
Bays 161 – 171, 1,259 linear feet above MLW
Bays 165 – 177, 1,450 linear feet above MLW
Fixed ramp at passenger terminal H, 750 linear feet above MLW

Railroad Facilities:

Limited rail facilities to Shed G.

Passenger Terminal Complex:

The Port of Miami-Dade currently has 5 passenger terminals in use on the North side of the port and terminal J on the south side of the port. In 2006, the Port will have in operation cruise terminals B & C (143,000 sq. ft.), D & E (240,000 sq. ft.), F & G (283,000 sq. ft.), H (6,939 sq. ft.) and terminal J (82,000 sq. ft.). The square footage amounts include areas for Customs and offices.

Office Buildings:

Seven (7) office buildings with a total of 441,317 square feet are available for rental to Port related businesses. There are also 43,720 square feet within Passenger Terminals H, and 17,147 square feet in Transit Shed "G".

Transit Cargo Sheds:

Transit Shed B is 1,000 feet x 200 feet (200,000 square feet). Shed C contains 80,000 square feet, and Shed E has 36,000 square feet. Shed G contains 152,000 square feet, 50,000 square feet of which is public refrigerated space. At present, there is a total of 468,000 square feet of transit cargo shed space.

Services:

There are a total of 18,500 linear feet of marginal berthing. Telephone and water connections are alternately provided every 120 feet.